

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division

ADDISON TAYLOR,

Petitioner,

v.

Case No.: 2:12-cv-583

ERIC WILSON, Warden,

Respondent.

FINAL ORDER

This case arises from a Petition for a Writ of *Habeas Corpus* filed on October 25, 2012 pursuant to 28 U.S.C. § 2241. ECF No. 1. In this Petition, the Petitioner requests relief under the Interstate Agreement on Detainers Act (“IAD”), 18 U.S.C. App. 2 § 2. ECF Nos. 1, 2.

On July 23, 2013, the Respondent filed a Motion to Dismiss, ECF No. 9, a brief in support, and a *Roseboro* Notice. The Petitioner’s response to the Motion to Dismiss was due by August 13, 2013. On September 18, 2013, after having received no response from Petitioner, the United States Magistrate Judge ordered the Petitioner to respond to the Respondent’s Motion to Dismiss by October 2, 2013 in accordance with Local Civil Rule 7. *See* ECF No. 12. The Petitioner has not responded, and the time to do so has lapsed. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and (C), Federal Rule of Civil Procedure 72(b), and Local Civil Rule 72 for a Report and Recommendation. *See* ECF No. 7. The Report and Recommendation was filed on October 24, 2013, and the United States Magistrate Judge recommended the Motion to Dismiss be granted and the Petition be denied. ECF No. 13.

By receiving a copy of the Report and Recommendation, the parties were advised of their right to file written objections to the Magistrate Judge's findings and recommendations. To date, the Court has received no written objections from either party.

After reviewing the record and without objection, the Court agrees with the Report and Recommendation on the grounds stated by the Magistrate Judge and **ADOPTS** and **APPROVES** the Magistrate Judge's Report and Recommendation filed on October 24, 2013, ECF No. 13, in its entirety as the Court's own opinion.

Accordingly, the Court **GRANTS** the Respondent's Motion to Dismiss, ECF No. 9, and **DENIES** the Petition, ECF No. 1, for the reasons stated in the Report and Recommendation, and **ORDERS** Judgment entered in the Respondent's favor.

The Petitioner may appeal from the Judgment entered pursuant to this Final Order by filing a written notice of appeal with the Clerk of the Court at the Walter E. Hoffman United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510, within sixty days from the date of entry of judgment. Because the Petitioner has failed to demonstrate "a substantial showing of the denial of a constitutional right," 28 U.S.C. § 2253(c)(2), pursuant to Federal Rule of Appellate Procedure 22(b), the Court declines to issue a certificate of appealability. *See Miller-El v. Cockrell*, 537 U.S. 322, 335-36 (2003).

The Clerk is **DIRECTED** to forward a copy of this Order to all parties.

It is so **ORDERED**.



Arenda L. Wright Allen
United States District Judge

Norfolk, Virginia

Date: *December 10, 2013*